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REMARKS

Claims 2,3 and 7 -23 are pending in the case. All claims have been allowed, except claim 21 has been made the subject of a Restriction Requirement. Applicants have attached a "Response to Restriction Requirement Under 37 CFR 1.142", filed January 6, 2004 canceling claim 21 while reserving the right to file divisional applications.

Entry of the amendment and passage to issue of allowed claims 2,3, 7-20, 22 are requested.

AUTHORIZATION:

The Commissioner is hereby authorized to charge any additional fees which may be required for the timely consideration of this amendment under 37 C.F.R. §§ 1.16 and 1.17, or credit any overpayment to Deposit Account No. 09-0452, Order No. BOC919990075 (1963-7376).

Respectfully submitted,
MORGAN & FINNEGAN, L.L.P.

Dated: January 22, 2004

By:

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MORGAN & FINNEGAN, LLP - DC OFFICE

Serial No. 09/593,076

Applicant: WILLNER et al.

Filing Date: 06/13/00

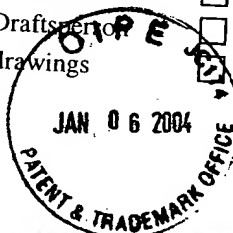
Docket No. BOC919990075 (1963-7376)

Atty.: JCR/jag

Due Date: 03/17/04

The following was/ were received in the U.S. Patent and Trademark Office on the date stamped hereon:

- | | |
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| <input type="checkbox"/> Amendment (or Response) | <input type="checkbox"/> IDS, Form-1449& references |
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| <input type="checkbox"/> Sheets formal drawings | <input type="checkbox"/> Other: Resp. to Rest. Req. |





PATENT

Docket No. BOC919990075 (1963-7376)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Willner et al. :
Serial No.: 09/593,076 : Group Art Unit: 2828
Filed: June 13, 2000 : Examiner: A. Rodriguez
For: A LASER SYSTEM AND METHOD OF OPERATION HAVING IMPROVED
SIGNAL CONTINUITY AND SAFETY

RESPONSE TO RESTRICTION REQUIREMENT UNDER 37 CFR 1.142

Mail Stop _____
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

In the Office Action of December 17, 2003, the Examiner required restriction to one of the following groups of claims:

Group I: Claims 2, 3, 7-20, 22, 23, drawn to a laser device, classified in class 372, subclass 38.1.

Group II: Claim 21, drawn to laser surgery, classified in class 606, subclass 5.

In order to comply with the requirements of restriction practice, Applicants provisionally elect with traverse the prosecution of Group I, claims 2, 3, 7-20, 22, 23, in response to the Restriction Requirement issued December 17, 2003. Applicants' reserve the right to file divisional applications on the non-elected claim.

Serial No.: 09/593,07

Docket No. BC 19990075 (1963-7376)

No fees are believed necessary in connection with this response. However, the Commissioner is authorized to charge any additional fees or credit any overpayments which may be required for this paper to Deposit Account No.09-0452, Order No.BC9-19990075 (1963-7376). A duplicate copy of this sheet is enclosed.

Respectfully submitted,

MORGAN & FINNEGAN, L.L.P.

Date: January 6, 2004

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